

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: **Sasha E. Embry-Ortiz**

Case No.: _____

Judge: _____

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Motions Included

☐ Modified/Notice Required

☐ Modified/No Notice Required

Date:

6/28/18

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney LA

Initial Debtor: SEE

Initial Co-Debtor _____

Part 1: Payment and Length of Plan

a. The debtor shall pay 248.00 Monthly to the Chapter 13 Trustee, starting on 7/1/18 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

☒ NONE

a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Lee Abt, Esquire	Attorney Fees	3,300.00
IRS	Taxes and certain other debts	3,200.00
NJ Division of Taxation	Taxes and certain other debts	2,200.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Home Point Financial	240 Spout Spring Avenue Lumberton, NJ 08048 Burlington County	2,400.00	0.00	2,400.00	1,792.00

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Ally Financial	2017 Mitsubishi Outlander Sport	2,249.00	0.00	2,249.00	540.00

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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-NONE-							
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ■ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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f. Secured Claims Unaffected by the Plan ■ NONE

The following secured claims are unaffected by the Plan:

Creditor

g. Secured Claims to be Paid in Full Through the Plan ■ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
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Part 5: Unsecured Claims ☐ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$____ to be distributed *pro rata*
- ☒ Not less than 0 percent
- ☐ *Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with

local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ■ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below **why** the plan is being modified: _____

Explain below **how** the plan is being modified: _____

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☐ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date June 28, 2018

/s/ Lee Abt, Esquire

Lee Abt, Esquire

Attorney for the Debtor

Date: June 28, 2018

/s/ Sasha E. Embry-Ortiz

Sasha E. Embry-Ortiz

Debtor

Date: _____

Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date June 28, 2018

/s/ Lee Abt, Esquire

Lee Abt, Esquire

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: June 28, 2018

/s/ Sasha E. Embry-Ortiz

Sasha E. Embry-Ortiz

Debtor

Date: _____

Joint Debtor

United States Bankruptcy Court
District of New Jersey

In re:
Sasha E. Embry-Ortiz
Debtor

Case No. 18-23078-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf901

Page 1 of 2
Total Noticed: 44

Date Rcvd: Jun 29, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 01, 2018.

db
517619295 +Sasha E. Embry-Ortiz, 240 Spout Spring Avenue, Lumberton, NJ 08048-2032
517619298 +Advanced ENT, Patient Bill Processing Ctr, P.O. Box 49000, Baltimore, MD 21297-4900
+Attorney General of the U.S., Dept. of Justice, RE: Internal Revenue Service,
Constitution Ave & 10th Street NW, Washington, DC 20530-0001
517619299 +Barclays Bank Delaware, Po Box 8803, Wilmington, DE 19899-8803
517619300 +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
517619303 +Citibank/The Home Depot, Po Box 6497, Sioux Falls, SD 57117-6497
517619304 +Citibank/The Home Depot, Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
517619306 +Client Services, 3451 Harry S Truman Blvd., Saint Charles, MO 63301-9816
517619312 ++FIRST SAVINGS BANK, PO BOX 5096, SIOUX FALLS SD 57117-5096
(address filed with court: First Savings Credit Card, 500 E 60th St N,
Sioux Falls, SD 57104)
517619310 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
517619311 +First Premier Bank, Po Box 5524, Sioux Falls, SD 57117-5524
517619313 +First Savings Credit Card, Po Box 5019, Sioux Falls, SD 57117-5019
517619314 +Home Point Financial, 1194 Oak Valley Drive, Ste 80, Ann Arbor, MI 48108-8942
517619316 +Home Point Financial, 4849 Greenville Ave, Dallas, TX 75206-4191
517619315 +Home Point Financial, 11511 Luna Road, Ste 200, Dallas, TX 75234-6022
517619323 LTD Financial Services, Re: First Savings, 3200 Wilcrest, Ste 600, Houston, TX 77042-6000
517619324 MCM, P.O. Box 51319, Los Angeles, CA 90051-5619
517619328 +Midland Funding, P.O. Box 2001, Warren, MI 48090-2001
517619330 NJ Division of Taxation, P.O. Box 445, Trenton, NJ 08695-0445
517619331 +Northstar Location Services, LLC, ATTN: Financial Services Dept., Re: Barclays,
4285 Genesee Street, Cheektowaga, NY 14225-1943
517619329 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
TRENTON NJ 08646-0245
(address filed with court: NJ Division of Taxation, P.O. Box 245, Trenton, NJ 08695-0245)
517619339 +US Department of Education/Great Lakes, Po Box 7860, Madison, WI 53707-7860
517619340 +US Department of Education/Great Lakes, Attn: Bankruptcy, Po Box 7860,
Madison, WI 53707-7860
517619341 +Virtua Medical Group, Patient Accounting, 2000 Crawford Place, Ste 200,
Mount Laurel, NJ 08054-3954

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg

E-mail/Text: usanj.njbankr@usdoj.gov Jun 29 2018 23:55:44 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jun 29 2018 23:55:41 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
517619297 E-mail/Text: ally@ebn.phinsolutions.com Jun 29 2018 23:54:52 Ally Financial,
P.O. Box 380901, Bloomington, MN 55438-0901
517619296 +E-mail/Text: ally@ebn.phinsolutions.com Jun 29 2018 23:54:52 Ally Financial,
200 Renaissance Ctr, Detroit, MI 48243-1300
517619301 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 30 2018 00:12:31 Cap One,
ATTN: Bankruptcy, P.O. Box 30285, Salt Lake City, UT 84130-0285
517619305 +E-mail/Text: bankruptcy@philapark.org Jun 29 2018 23:56:45 City of Philadelphia,
Parking Violations Branch, P.O. Box 41818, Philadelphia, PA 19101-1818
517619307 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 29 2018 23:55:24
Comenity Bank-Victoria's Secret, P.O. Box 659728, San Antonio, TX 78265-9728
517619308 E-mail/Text: mrdiscen@discover.com Jun 29 2018 23:54:54 Discover Financial, Po Box 15316,
Wilmington, DE 19850
517619309 +E-mail/Text: mrdiscen@discover.com Jun 29 2018 23:54:54 Discover Financial, Po Box 3025,
New Albany, OH 43054-3025
517619319 E-mail/Text: cio.bncmail@irs.gov Jun 29 2018 23:55:08 IRS, 1040 Waverly Drive,
Holtsville, NY 00501
517619320 +E-mail/Text: bankruptcy@philapark.org Jun 29 2018 23:56:45 LDC Collection Systems,
P.O. Box 41819, Philadelphia, PA 19101-1819
517619321 +E-mail/Text: bk@lendingclub.com Jun 29 2018 23:56:21 Lending Club Corp,
71 Stevenson St Ste 300, San Francisco, CA 94105-2985
517619326 +E-mail/Text: bkr@cardworks.com Jun 29 2018 23:54:46 Merrick Bank/CardWorks,
Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
517619325 +E-mail/Text: bkr@cardworks.com Jun 29 2018 23:54:46 Merrick Bank/CardWorks, Po Box 9201,
Old Bethpage, NY 11804-9001
517619327 +E-mail/Text: bankruptcydpt@mcmcg.com Jun 29 2018 23:55:41 Midland Funding,
Attn: Bankruptcy, Po Box 939069, San Diego, CA 92193-9069
517619332 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2018 23:59:02
Portfolio Recovery, P.O. Box 12914, Norfolk, VA 23541-0914
517619336 +E-mail/Text: bankruptcy@prosper.com Jun 29 2018 23:56:28 Prosper Marketplace Inc,
Po Box 396081, San Francisco, CA 94139-6081
517619335 +E-mail/Text: bankruptcy@prosper.com Jun 29 2018 23:56:28 Prosper Marketplace Inc,
101 2nd St Fl 15, San Francisco, CA 94105-3672
517619337 +E-mail/PDF: gecsed@recoverycorp.com Jun 30 2018 00:13:45 Synchrony Bank/Care Credit,
950 Forrer Blvd, Kettering, OH 45420-1469

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

517619338 +E-mail/PDF: gecsed@recoverycorp.com Jun 29 2018 23:58:59 Synchrony Bank/Care Credit,
Attn: Bankruptcy Dept, Po Box 965061, Orlando, FL 32896-5061

TOTAL: 20

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517619302* +Cap One, ATTN: Bankruptcy, P.O. Box 30285, Salt Lake City, UT 84130-0285
517619317* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,

PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, P.O. Box 21126,
Philadelphia, PA 19114)

517619318* IRS, Attn: Special Procedures, P.O. Box 744, Springfield, NJ 07081-0744
517619322* +Lending Club Corp, 71 Stevenson St, Suite 300, San Francisco, CA 94105-2985

517619333* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery, P.O. Box 12914, Norfolk, VA 23541-0914)

517619334* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery, P.O. Box 12914, Norfolk, VA 23541-0914)

TOTALS: 0, * 6, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 01, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 28, 2018 at the address(es) listed below:

Lee Abt on behalf of Debtor Sasha E. Embry-Ortiz leeabt2@verizon.net,
r40016@notify.bestcase.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 2